

Message Text

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ACTION EA-09

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07

L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 DLOS-09 IO-13 OES-06 OMB-01 TRSE-00

ACDA-07 /091 W

-----312031Z 074411 /45

R 310019Z MAR 77

FM AMEMBASSY CANBERRA

TO AMEMBASSY PORT MORESBY

INFO SECSTATE WASHDC 093

CINCPAC HONOLULU HI

C O N F I D E N T I A L CANBERRA 2193

CINCPAC FOR POLAD

EO 11652: GDS

TAGS: AS, PP, PLOS, PINT, PFOR

SUBJ: TORRES STRAIT BOUNDARY DISPUTE

REF: PORT MORESBY 0371 (230600" MAR 77)

1. WE HAVE LITTLE TO ADD TO REFERENCE CABLE BEYOND THAT REPORTED CANBERRA 817. THE GOA'S POSITION IS THAT THE BOUNDARY DISPUTE IS A LEGAL NOT REPEAT NOT A POLITICAL PROBLEM BETWEEN THE TWO COUNTRIES. WHEN QUERIED, THE PNG DESK OFFICER AT DFA SAID THAT HE WAS NOT INVOLVED IN THE PROBLEM AND THAT EMBOFF SHOULD CONSULT DFA'S LEGAL SECTION. DFA LEGAL EXPERTS IN TURN CONTINUE TO MAINTAIN THAT THE GOA'S POSITION ON THE STRAITS IS SOUND, BASED ON LARGELY ON AUSTRALIA'S HISTORICAL PRESENCE IN THE AREA.

2. IN REALITY, FONMIN PEACOCK AND THE GOA UNDERSTAND VERY WELL THE POLITICAL PROBLEM CAUSED BY THE TORRES STRAIT BOUNDARY DISPUTE. PEACOCK IS ESPECIALLY CONCERNED THAT THE ISSUE COULD HRUT SOMARE'S REELECTION PROSPECTS, AND
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WOULD LIKE TO DELAY FURTHER DISCUSSIONS WITH PNG UNTIL AFTER PNG ELECTIONS. THE GOA'S MAIN PROBLEM IN TAKING A MORE CONCILIATORY LINE CONTINUES TO BE QUEENSLAND PREMIER JOH BJELKE-PETERSEN. HE IS ADAMANTLY OPPOSED TO GIVING ANY "QUEENSLAND TERRITORY" TO PNG OR TO ANYONE ELSE. (WE UNDERSTAND THAT BJELKE-PETERSEN HAS THREATENED TO TAKE THE GOA TO COURT AND EVENTUALLY TO THE PRIVY

COUNCIL SHOULD IT ATTEMPT TO RELINQUISH ANY OF HIS STATE'S TERRITORY.) THE GOA IS ESPECIALLY RELUCTANT TO TAKE BJELKE-PETERSEN ON AT THIS TIME BECAUSE OF THE ADVERSE EFFECTS A PUBLIC ROW COULD HAVE ON THE REFERENCUM VOTE SCHEDULED FOR MAY. MOREOVER, PM FRASER ALSO SEEMS INCLINED TO MAINTAIN AS LARGE AN AUSTRALIAN INTEREST IN THE STRAITS AS POSSIBLE, NOT ONLY TO PROTECT ABORIGINAL INTERESTS THERE BUT BECAUSE OF THE POSSIBLE WEALTH TO BE FOUND UNDER THE SEA. WE BELIEVE THAT FONMIN PEACOCK, TAKING A BROADER VIEW, WOULD LIKE TO CONCLUDE AN AGREEMENT AS FAVORABLE AS POSSIBLE TO THE PNG IN ORDER TO PRESERVE AND ENHANCE THE GOOD RELATIONS DEVELOPED BETWEEN THE TWO COUNTRIES SINCE PNG INDEPENDENCE. IT IS LIEKLY, HOWEVER, THAT THE GOA WILL CONTINUE TO TAKE A NORROW LEGALISTIC VIEW OF THE PROBLEM AT LEAST UNTIL THE RAMIFICATIONS OF THE GENERAL TENDENCY TOWARD A 200 MILE JURISDICTION OVER SEA RESOURCES BECOME MORE APPARENT. WE AGREE WITH PORT MORESBY THAT THIS COULD HARM RELATIONS BETWEEN THE TWO NATIONS.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DISPUTES, BOUNDARY CLAIMS, STRAITS
Control Number: n/a
Copy: SINGLE
Sent Date: 31-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977CANBER02193
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770111-0368
Format: TEL
From: CANBERRA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t1977034/aaaaadbg.tel
Line Count: 81
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: ecb6d4b4-c288-dd11-92da-001cc4696bcc
Office: ACTION EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 PORT MORESBY 371
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 16-Nov-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3049549
Secure: OPEN
Status: NATIVE
Subject: TORRES STRAIT BOUNDARY DISPUTE
TAGS: PLOS, PINT, PFOR, AS, PP
To: PORT MORESBY
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/ecb6d4b4-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009